

Nevertheless, in response to the Restriction Requirement, Applicants hereby elect without traverse to prosecute the claims of the Group VI invention (claims 1 (in part), and 2-4), drawn to nucleic acids encoding SEQ ID NO:12, classified in class 536, subclass 23.1. Accordingly, as detailed above, claim 5 has been cancelled herein without prejudice and without disclaimer as being drawn to a non-elected invention. Furthermore, claim 1 has been amended to remove reference to the non-elected inventions I-V and VII-X.

Applicants reserve the right to refile claims to the non-elected inventions in one or more future applications retaining the priority date of the present case and the earlier cited priority applications.

### **III. Status of the Claims**

Claim 5 has been cancelled without prejudice and without disclaimer as being drawn to a non-elected invention. Claim 2 has been cancelled without prejudice and without disclaimer. Claims 1 and 3 have been amended. Claims 6-8 have been added.

Claims 1, 3, 4, and 6-8 are therefore presently pending in the case. For the convenience of the Examiner, a clean copy of the pending claims is attached hereto as **Exhibit A**. In compliance with 37 C.F.R. § 1.121(c)(1)(ii), a marked up copy of the original claims is attached hereto as **Exhibit B**.

### **IV. Support for the Amended and Newly Added Claims**

Claim 1 has been amended to remove reference to the non-elected inventions. Support for this claim can be found throughout the specification as originally filed.

Claim 3 has been amended to specifically recite an isolated nucleic acid molecule comprising the nucleotide sequence of SEQ ID NO:11, to avoid duplication of amended claim 1. Support for this claim can be found throughout the specification as originally filed, with particular support being found at least in Section 5.1.

Claims 6 and 7 have been added to specifically recite recombinant expression vectors comprising isolated nucleic acid molecules of the present invention. Support for these claims can be found throughout the specification as originally filed, with particular support being found at least at page 10, lines 25-32.

Claim 8 has been added to specifically recite host cells comprising the recombinant expression vectors of claim 6. Support for this claim can be found throughout the specification as originally filed, with particular support being found at least from page 10, line 33 to page 11, line 2.

It will be understood that no new matter is included within the amended or newly added claims.

**V. Conclusion**

The present document is a complete response to the Restriction Requirement. Applicants believe that the claims of the instant application meet all of the conditions for patentability and are in condition for allowance. Accordingly, an early indication of the same is respectfully requested. Should Examiner Turner have any questions or comments, or believe that certain amendments of the claims might serve to improve their clarity, a telephone call to the undersigned Applicants' representative is earnestly solicited.

Respectfully submitted,

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Date

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- PATENT TRADEMARK OFFICE

**Exhibit A**

**Clean Version of The Pending Claims in U.S. Patent Application Ser. No. 09/930,871**

1. (Amended) An isolated nucleic acid molecule comprising a nucleotide sequence encoding the amino acid sequence of SEQ ID NO:12.
3. (Amended) An isolated nucleic acid molecule comprising the nucleotide sequence of SEQ ID NO:11.
4. The isolated nucleic acid of Claim 3 wherein said nucleic acid is a cDNA or PCR product.
6. (New) A recombinant expression vector comprising the isolated nucleic acid molecule of claim 1.
7. (New) The recombinant expression vector of claim 6, wherein the isolated nucleic acid molecule comprises the nucleotide sequence of SEQ ID NO:11.
8. (New) A host cell comprising the recombinant expression vector of claim 6.